

REMARKS

Claims 1-6 are pending in this application. Claims 1-3, 5 and 6 were rejected. Claim 4 was indicated to be allowable. None of the claims is currently amended. Reconsideration is respectfully requested.

Wireless networks have been growing in popularity for years. Perhaps the main advantage of wireless networks is that they permit mobility of terminal devices. However, the proliferation of wireless network devices has brought about problems associated with RF interference. Basically, the greater the number of wireless devices in a given area, the more likely that there will be interference between wireless devices. The RF interference problem occurs not only in office buildings, but in apartment complexes. The problem is complicated when the devices are not under the control of the same network administrator, e.g., when the interference is coming from the access point of your uncooperative neighbor. The problem is further complicated where, as in the United States, the wireless devices typically operate in unregulated spectrum. In that environment the RF interference may come from microwave ovens, cordless phones, radar, and other devices that are not part of the WLAN.

One technique for mitigating interference is for wireless devices to reduce transmit power when less than full power is required for operation. For example, an access point capable of reaching stations 10 meters away at full power need not transmit at full power if the only associated station is actually 1 meter away.¹ Similarly, the station located 1 meter away from the access point with which it is associated could also reduce transmit power.² An advantage of having the station and access point transmit at reduced power, e.g., to a level that permits support

¹ See pp. 33-34 of Specification

² See p. 50 of Specification

of the most distant active association, is that the RF footprint of devices is reduced to what is useful, as opposed to constantly having the largest possible RF footprint, thereby mitigating interference. It is in such a network that the presently claimed invention has particular utility.

In a network where access points reduce their transmit power to mitigate interference, a complication arises for stations. In particular, how does a station evaluate an access point as a potential candidate for association when the received signal strength from the access point is not indicative of the signal strength that could be provided by that access point. A standard prior art station located 2 meters away from the exemplary access point, which is powered-down to reach the 1 meter distant station, would conclude that the access point was a poor candidate based on RSSI. However, a station utilizing the presently claimed program product would ascertain that the access point is actually a good candidate for association because it is capable of increasing transmit power in order to reach 2 meters.

Claims 1-3 and 5-6 were rejected under 35 U.S.C. 102(b) as being anticipated by Pinard. The Office equates use of RSSI with ascertaining that the alternative access point is at less than full power. Applicant respectfully traverses. While the RSSI might indicate that the signal is weak, it fails to indicate whether the access point is transmitting at full or reduced power, and also fails to indicate the level of attenuation. Thus, claim 1 distinguishes Pinard by reciting “logic for ascertaining ... whether the wireless device should attempt to associate with an alternative access point ... on indications of a level of attenuation of signal strength of **transmissions** from the alternative access point where the alternative **access point transmits at less than full power.**” In other words, the attenuation being considered is that of the access point itself rather than the environment between the access point and the station. Withdrawal of

the rejection is therefore requested. Claims 2-6 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as claim 1.

Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-4001 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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